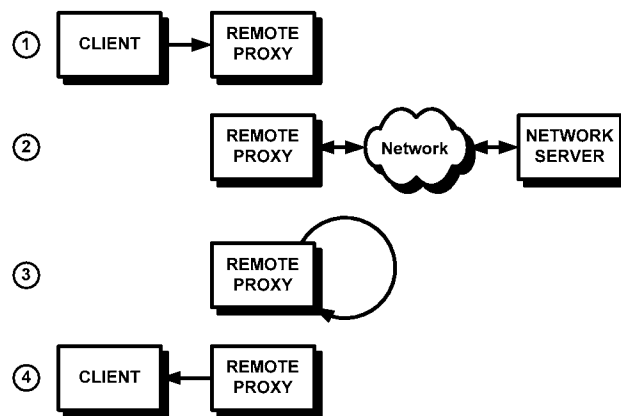


REMARKS

This Amendment is responsive to the Office Action mailed January 10, 2008.

In the Office Action, the claims were rejected under 35 U.S.C. §102(e) as being anticipated by Tso et al. (hereinafter “Tso”). Reconsideration and withdrawal of these rejections are respectfully requested.

Tso operates as follows:



At (1), the client makes a request of the remote proxy. At (2), the remote proxy accesses the network (the client never does so), and requests data from the network server. At (3), the remote proxy carries out the transcoding of the data received from the network server (including evaluating criteria and adding advertising thereto, for example). At (4), the remote proxy sends the transcoded data back to the client.

The Office action has analogized the claimed first server to Tso's remote proxy (Office Action, at page 2). IF the claimed first server is Tso's remote proxy, the claimed second server MUST be Tso's network server.

Keeping the foregoing in mind, claim 1 is a method for a first server to select content to be displayed on a computer accessing a Web site of a second server. In Tso, the client never accesses the second server directly, but only through the remote proxy.

Claim 1 then recites a step of:

**the second server collecting user identification data from the computer
accessing the Web site**
and

**the second server sending the collected user identification data to the first
server.**

In the present case, it is the affiliate server (the claimed second server) that carries out the collecting and sending steps. Indeed, as claimed, the affiliate server (the claimed second server) collects the user identification data and sends the collected user identification data to the first server (the merchant server), to enable the first server to select advertising to be displayed on the Web site of the second server (the affiliate server). In Tso, there is no entity that collects user identification data from the network client 12, nor is there any entity that sends the collected user identification data to the first server. If the first server (which, according to the Office Action, corresponds to Tso's remote proxy) is deemed to carry out the collecting and sending steps, then the first server would have to send the collected user identification data to itself which makes no sense. In addition, if the claimed second server is Tso's network server (as it must be, in keeping with the Office's assertion that the claimed first server corresponds to Tso's remote proxy), then Tso does not teach that the network server collects any user identification data, nor does Tso teaches that the network server sends the collected user identification data to the remote proxy, as would have to be the case, if the claimed first server does indeed corresponds to Tso's remote proxy, as urged by the outstanding Office Action.

The purpose of the remote proxy is to completely shield Tso's network client from the Internet 18 and any servers coupled thereto. Indeed, in Tso, the network client makes a request for data that is located on the network server, whereupon the remote proxy intercepts the request, makes the request on behalf of the network client (as its proxy), transcodes the received data according to selection criteria and then provides the transcoded data to the network client. There is no entity in Tso, therefore, that collects user identification data from the network client and sends the collected user identification to the remote proxy. That Tso fails to teach the first two steps of the claimed embodiment is, in itself, fatal to the applied §102(e) rejection.

As noted above, in Tso, the network client 12 ONLY communicates with the remote proxy 34. The purpose of the remote proxy is to shield the network client from the Internet 18 "the proxy server is responsible for all communications with the outside world" (Col. 1, lines 47-48). However, in the claimed embodiment, the second server collects user identification data from the computer accessing the Web site, and the first server sends the address of the selected advertising to the accessing computer. Thereafter, claim 1 recites a step of the first server:

sending an address of the selected advertising to the accessing computer

Again, such a step would never occur in Tso, as the purpose of the remote proxy 34 is to isolate the network client from the Internet 18 and to provide transcoding services as it intermediates requests between the network client and devices or services coupled to the Internet 18. Interpreting the claim in the manner suggested in the outstanding Office Action would, therefore, break the functionality of Tso, and would subvert the intended purpose of Tso's remote proxy, by allowing devices or services coupled to the Internet 18 to bypass the remote proxy and communicate directly with the network client 12.

The same arguments may be made relative to claim 35, which recites:

the first server sending an address of the selected advertising to the accessing computer for posting into the accessed Web page

In Tso, the remote proxy 34 would never send the address of the selected advertising to the network client 12 but would, instead, pre-fetch the advertising and add it to the requested data before providing the same to the network client.

Similar arguments may also be advanced relative to claim 18, which recites:

a first process within the affiliate Web server to collect a user identification from a computer accessing a Web site controlled by the affiliate Web server and for sending the collected user identification to the merchant Web server along with a request for content

No equivalent process is taught in Tso, as the affiliate server would never be allowed to communicate with the computer accessing the Web site, and much less to collect user identification therefrom.

Claim 1 also recites:

the first server sending an address of the selected advertising to the accessing computer, and causing the accessing computer to fetch the selected advertising from the address sent to the accessing computer and to integrate the fetched advertising into a currently displayed page of the Web site

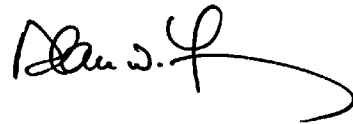
In Tso, it is not the network client 12 that fetches the selected advertising and integrates it into the currently displayed page of the Web site, it is the remote proxy. The job of the remote proxy 34, according to Tso, (in addition to isolating the network client from the Internet) is to transcode the data obtained from the Internet 18. Tso specifically teaches that transcoding means “adding, modifying or deleting data” (Col. 2, lines 48-49). Indeed, Tso teaches that “such advertising may be added to any content passing through a proxy” (Col. 8, lines 15-17). Therefore, as data is fetched by the remote proxy 34, the remote proxy 34 may add advertising

thereto (that's the transcoding), and send the transcoded data back to the network client 12. Tso does not teach or suggest that the accessing computer fetches the selected advertising from the address sent to the accessing computer and integrates the fetched advertising into a currently displayed page of the Web site, as claimed herein. Such would defeat the very purpose of the remote proxy 34.

In view of the foregoing, it is respectfully submitted that the Tso reference does not teach the claimed steps and the claimed recitations. Therefore, reconsideration and withdrawal of the 35 U.S.C. §102(e) rejections applied to the claims are, therefore, respectfully requested.

Applicants believe that this application is now in condition for allowance. If any unresolved issues remain, please contact the undersigned attorney of record at the telephone number indicated below and whatever is necessary to resolve such issues will be done at once.

Respectfully submitted,



Date: April 10, 2008

By: _____

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